

STEVEN G. KALAR
Federal Public Defender
VARELL L. FULLER
Assistant Federal Public Defender
160 West Santa Clara Street, Suite 575
San Jose, CA 95113
Telephone: (408) 291-7753
Counsel for Defendant DABESTANI

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

UNITED STATES OF AMERICA,)	No. CR 12-00708-EJD
)	
Plaintiff,)	STIPULATION AND [PROPOSED]
)	ORDER CONTINUING HEARING DATE
vs.)	AND EXCLUDING TIME UNDER THE
)	SPEEDY TRIAL ACT
HOSSEIN DABESTANI,)	
)	
Defendants.)	
)	

STIPULATION

Defendant Hossein Dabestani, by and through Assistant Federal Public Defender Varell L. Fuller, and the United States, by and through Assistant United States Attorney Peter B. Axelrod, hereby stipulate that, with the Court's approval, the status hearing currently set for Monday, May 13, 2013, at 1:30 p.m., shall be continued to Monday, August 5, 2013 at 1:30 p.m.

The reason for the continuance is the defense requested the government provide additional discovery in this matter, which the government has recently agreed to permit defense counsel to review at the United States Attorney's Office. Accordingly, defense counsel requires additional time to review the additional discovery and to effectively prepare.

1 For the foregoing reasons, the parties jointly request and agree to an exclusion of the time
2 between May 13, 2013, and August 5, 2013, under the Speedy Trial Act, 18 U.S.C. §
3 3161(h)(7)(A) and (B)(iv), for effective preparation by defense counsel.

4 IT IS SO STIPULATED.

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6 Dated: May 9, 2013

7 _____/s/_____
VARELL L. FULLER
Assistant Federal Public Defender

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9 Dated: May 9, 2013

10 _____/s/_____
PETER B. AXELROD
Assistant United States Attorney

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15 **~~PROPOSED~~ ORDER**

16 GOOD CAUSE APPEARING, upon stipulation of the parties, IT IS HEREBY
17 ORDERED that the hearing currently set for Monday, May 13, 2013, shall be continued to
18 Monday, August 5, 2013, at 1:30 p.m.

19 THE COURT FINDS that failing to exclude the time between May 13, 2013, and August
20 5, 2013, would unreasonably deny defense counsel reasonable time necessary for effective
21 preparation, taking into account the exercise of due diligence. See 18 U.S.C. §
22 3161(h)(7)(B)(iv).

23 THE COURT FURTHER FINDS that the ends of justice served by excluding the time
24 between May 13, 2013, and August 5, 2013, from computation under the Speedy Trial Act
25 outweigh the interests of the public and the defendant in a speedy trial.

26 THEREFORE, IT IS HEREBY ORDERED that the time between May 13, 2013, and

1 August 5, 2013, shall be excluded from computation under the Speedy Trial Act, 18 U.S.C. §
2 3161(h)(7)(A) and (B)(iv).

3 IT IS SO ORDERED.

4 Dated: 5/9/2013

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6 THE HONORABLE EDWARD J. DAVILA
7 United States District Court Judge
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